

LIFE OR DEATH OF SCIENTIST CHURCH IN JUDGES' HANDS

C. F. Choate, Jr., So Asserts
as Arguments Close
in Boston.

SPEAKS FOR MRS. EDDY
Declares She Intended to
Give Directors Power
of Removal.

ALL ACTIVITIES RELATED
Mother Church Retains All
Its Power to Govern,
Counsel Says.

Special Despatch to THE NEW YORK HERALD.
BOSTON, Dec. 1.—Charles F. Choate, Jr., toward the close of his argument to-day before the full bench of the Supreme Court on the four major actions in the Christian Science litigation declared "It is now in the hands of this Court whether the Christian Science Church shall live or die."

The hearing closed after two and a half days' of argument by the contending counsel and the Court later will hand down its decisions on the four actions.

When the hearing opened the question of filing reply briefs to the brief which Attorney-General Allen filed two weeks ago was brought up. At the request of Lathrop Withington, junior counsel for the trustees, and William G. Thompson, counsel for John V. Dittmore, the Court allowed until Monday for the filing.

Choate, who is highly reminiscent of the warmer moments of the early days of the Christian Science litigation, evidenced the last moments of the hearing. The Attorney-General, Mr. Choate, declared that expediency in accomplishing the purposes of Mrs. Eddy must be considered in construing the deed she executed. For the purpose of that trust, he contended, it is essential that the directors of the Mother Church shall have power to remove the trustees of the Christian Science Publishing Society.

Mrs. Eddy's Intention.
Mr. Choate asserted that it was evident that Mrs. Eddy intended to give to the directors such power not merely as trustees under a deed but as officers of the church and its recognized governing body. He asked if there was any question of the church's right to change its form of government.

Mrs. Eddy, he said, did not intend to vest the power of removal in two specific boards—the first members and the directors—but in the board, which represented the governing authority of the church.

"It seems to me narrow to argue that because one of these bodies has ceased to exist the church has lost its power to govern. These activities are all inter-related. How is the church to live without the income from its publishing society? How is the Publishing Society to exist without the support of the church?"

"Mrs. Eddy didn't make any of the

directors trustees of the publishing society because there was a certain obvious inconsistency in a church dedicated to extending Christian Science conducting by its incorporated officers a business for profit," said Mr. Choate. "It was very good business to separate the heads of an ecclesiastical movement from business for profit, even though the profit was for the church."

Rights of Church Limited.
"The statute at that time also limited the right of a church to take and hold property of more than a certain volume. Those are the two reasons for separating the church and the publishing society, and not because Mrs. Eddy didn't want a man who was a Christian Science director to have anything to do with the literature."

"The facts that I am now trying to bring to the mind of the Court are that these facts were not before the Master who heard the trustees' case. If the Attorney-General had supposed or those whom he represents had supposed, that involved in Eustace vs. Dickey (the trustees' case) were these questions on which the Master made his ruling of law, which if sustained would level the structure to the ground and leave it without hope, they would not have waited until now to act."

When Mr. Choate completed his arguments, Mr. Thompson, counsel for John V. Dittmore, spoke.

"I want to call attention to certain mistakes of the Attorney General's distinguished assistant," he said. "He has stated that the fact of the August 2 meeting was not before the master. The record was the exact opposite. That statement could not have been made if the Hullin petition for which Mr. Choate was formerly counsel had not been withdrawn."

The Hullin Petition.
"The Hullin petition claimed that this information was not before the master, but the affidavits showed that all these facts relating to the 'August directors' were rejected by Gov. Bates as not material, because these directors were elected in an abortive attempt to carry on the church and were later superseded by the deed of trust. This shows the absolute hollowness of this talk of newly discovered evidence."

Mr. Choate rose in his turn and remarked that Mr. Thompson seemed to think he was acting in the "capacity of mentor to this court."

"I take issue with his statements both as to their truth and to the propriety of making them," said Mr. Choate.

Here Mr. Krauthoff came forward and said that as a member of the Mother Church he objected to having the Attorney General "appear at the bar and tell us we are not members of the church organized by Mrs. Eddy on September 1, 1892, but that we are members of a church organized in August, 1892, by eleven persons we never heard of."

PENROSE IN CONFERENCE.
Western Pennsylvania Party Leaders Call on Senator.

PHILADELPHIA, Dec. 1.—Republican leaders from the western part of the State conferred to-day with Senator Penrose at his home here. Among them were John M. Flynn, a member of the House of Representatives from Elk county, and William J. McCall, chairman of the House Appropriations Committee. The Senator also talked during the day with W. Harry Baker, secretary of the Republican State Committee.

All of his visitors verified recent reports of the improved condition of the Senator's health.

MARRIAGE LAW HELD INVALID.

PADUCAH, Ky., Dec. 1.—Holding the Kentucky statute barring marriage of son-in-law to mother-in-law would not be sustained by higher courts, County Judge Lang to-day dismissed Walter Thornton and his wife and ex-mother-in-law, Effie Hale, from custody. Thornton previously was divorced from his present wife's daughter.

TAKE PARTRIDGES TO WILSON.

WASHINGTON, Dec. 1.—Gov. Bickett of North Carolina and his son called at the White House to-day to leave for President Wilson a number of partridges, which they killed on a recent hunting trip. They were received by Secretary Tumulty.

'ANTHRACITE MINERS' PAY BOOST LOOMS

President's Letter, as Interpreted by Secretary Wilson, Removes Restrictions.

WASHINGTON, Dec. 1.—The door to further wage increases in the anthracite industry beyond the 17 per cent. advance awarded by the Federal Commission last August was opened to-day at a conference between the anthracite joint scale committee and Secretary Wilson of the Department of Labor.

The Government, Secretary Wilson advised the committee, would not interfere with any changes the committee might agree to make in the Federal Commission's agreement. This position was understood to mean that the scale committee may increase mine wages above the scales laid down in the agreement under which the mines are operating, providing the operators consent to such advances.

Secretary Wilson's statement was an interpretation of President Wilson's recent letter regarding revision of the Federal Commission award, and was issued after to-day's conference with the joint scale committee, comprising representatives of both operators and workers' organizations.

"The operators and miners of the joint scale committee of the anthracite field," the statement said, "have had a misunderstanding concerning their authority under the communication of the President reconvening the scale committee. It is definitely understood that the agreement now in existence will continue in force the effect during the time for which it was entered into."

"The Secretary of Labor has interpreted the communication of the President to mean that the Government will not interfere with the joint scale committee in making any changes which they may mutually agree should be made in the agreement."

Secretary Wilson's statement was accepted as indicating a disposition on the part of the Government toward strict enforcement of the present wage agreement, subject only to mutual alterations by the operators and mine workers. It was said, however, that the question of wage increases rather than the terms of the existing wage contract was the principal point in dispute.

CLEAN UP DRIVE IN MINGO COAL STRIKE

Republican State Senator Is Appointed Acting Mayor at Williamson, W. Va.

WILLIAMSON, W. Va., Dec. 1.—State Senator William York, Republican, was named Mayor pro tem by three members of the City Commission at its meeting here to-night. Senator York will assume the duties of Mayor Peters, who is ill in a Cincinnati hospital. The action was taken after the military had notified civil authorities that the city must be "cleaned up." The police department had been almost powerless to act without a Mayor.

The Senator was named by the three Republican members of the commission after the two Democratic members had left the meeting before it adjourned.

The Democrats disputed the legality of naming a Mayor pro tem of the same political faith as the clerk, Greenway Hatfield, the clerk, is a Republican. A clause in the charter is said to read that the Mayor and the clerk must be of different political adherence. The Democratic members held it applied to appointment of Mayor pro tem, as well.

No disorders of any nature have been reported to military headquarters during the last twenty-four hours, Col. Hall said to-night.

The report of the death of William Francis, Deputy Sheriff, at a Welch, W. Va. hospital remained undisputed at headquarters. Francis was shot at Harlan, Ky., yesterday in attempting to make an arrest. Everett Dolson, a Deputy Sheriff in Francis's company, received a bullet in the eye, according to W. A. Wilson, superintendent of the Vulcan Colliery near Harlan.

Nathan Bevers, sought by authorities in connection with the shooting, was still at large to-day, it was reported. Poses with bloodhounds are said to be on his trail.

Many undesirable, both men and women, were making their exodus from Williamson to-day upon Col. Hall's instructions that the city must be "cleaned up."

There were no written instructions to the City Commission, but Col. Hall has said the city government must function, and "function at once."

FRANK BROTHERS

Fifth Avenue Boot Shop
Near 48th Street

20%
DISCOUNT

Men's and Women's
High Shoes

Frank Brothers' "highest grade footwear" reduced twenty per cent. below this autumn's previous readjustment prices.

All Our Men's and Women's
Hosiery Greatly Reduced

Women's silk lined, knit lined or fur lined, \$4.50 to \$7. Long cuff gauntlet, full fur lined, in gray buck suede, \$8.50.

Children's wool fleece lined buck suede in gray, \$2.50. Full fur lined with fur back gloves and mittens, \$4.50.

Main Floor, Old Building.
Men's silk lined, knit lined or fur lined, \$5 to \$7.50. Strap wrist style, in cape-skin. Lamb's wool lined, \$9. Full fur lined, \$12.

Burlington Arcade Floor, New Building.

JOHN WANAMAKER

Broadway at Ninth, New York

The Christmas Store

Formerly A. T. Stewart & Co.

The Wares and Stuff That We Choose for This Store

are such as please the people who, in the course of years, have taught us the kind of things they like best.

It is a pleasure to represent the clientele of this business. It is one thing to make collections of articles of fashion and furnishings for educated people, such as our patrons are, and an entirely different matter to get up ordinary gatherings of stocks that would easily sell because of large profits possible.

We value very highly the privilege of preparing specialties in merchandise through our foreign offices.

We are in no sense speculators, but we are proud to provide as we do for our patrons.

(Signed)
John Wanamaker
Dec. 2, 1920.

Good Fortune in Our Famous London Coats for Women



Part of our direct importation for this season.

Those that were \$82.50, now \$55 (for the first time)

Those that were \$85, now \$56.50 (for the first time)

Those that were \$95, now \$63 (for the first time)

Those that were \$97.50, now \$65 (for the first time)

The Durward label is known all over the civilized world. You'll find it in every coat, and you'll find similar coats, bearing this label, in the best homes of all the Americas and of Europe.

They are mannish coats, mostly double-breasted—a few single-breasted—in the colorings which inability to counterfeit has kept their distinctiveness untarnished. No better coats for motoring, for knock-about wear, for country wear—for anything except a formal occasion.

There are tweeds, homespun, and mixtures; and some Inverness capecoats in checks and Shetland mixtures; and some polo coats of Scotch fleece in camel-hair color.

Buttons are of leather or horn. Shoulders are Raglan or set-in. Most of the coats have belts all around. **Second Floor, Old Building.**

REDLEAF, London, Gloves are here

Women's silk lined, knit lined or fur lined, \$4.50 to \$7. Long cuff gauntlet, full fur lined, in gray buck suede, \$8.50.

Children's wool fleece lined buck suede in gray, \$2.50. Full fur lined with fur back gloves and mittens, \$4.50.

Main Floor, Old Building.
Men's silk lined, knit lined or fur lined, \$5 to \$7.50. Strap wrist style, in cape-skin. Lamb's wool lined, \$9. Full fur lined, \$12.

Burlington Arcade Floor, New Building.

Royal Wilton and Axminster Rugs from Kidderminster at Half Price

100, first grades, in extra large room sizes.

11 1/4 x 15 ft. Axminster Rugs, \$172.50 grade for \$86.75.

11 1/4 x 15 ft. Royal Wilton Rugs, \$250.00 grade for \$125.00.

9 x 15 ft. Axminster Rugs, \$136.50 grade for \$68.25.

9 x 15 ft. Royal Wilton Rugs, \$200.00 grade for \$100.00.

Manufacturers' Samples, Royal Wilton, Third Less (Third less than the prices of some grades now in our stocks.)

9 x 12 ft. Royal Wilton Rugs (42 only), \$125 grade for \$85.00.

8 1/4 x 10 1/4 ft. Royal Wilton Rugs (40 only), \$122.50 grade for \$82.50.

Sixth Gallery, New Bldg.

...M E N... The Motor Shop reduces

40 tan leather and wool gabardine Reversible Coats for Men.

\$67.50—were \$105 & \$115

Fine glove leather and imported gabardine cloth; 43 and 47 inches in length, sizes 34 to 46.

A motoring or storm-protective coat of highest quality. **Burlington Arcade Floor, New Building.**

CAMEE Christmas Boxes

Of unusual charm, hand-painted. Conventional small gold leaves make a charming border and grow from stiff red trees, on either side of which graze decorative black fawn-like animals on one of the charming boxes. The whole thing is delightfully decorative—\$5 each.

CAMEE itself is essential for the holidays. Chocolates and caramels from the best French recipes. \$2 pound.

Motor Entrance at Ninth St., Main Floor, Old Bldg.

The Christmas Book Store

has overflowed onto the first floor of the Old Building.

Children's books, Christmas. Part of the children's books and all Christmas cards and calendars have been moved there for the greater convenience of our patrons.

First Floor, Old Building.



Small Distinctive Christmas Gifts From Belmason

Some of the most appreciated gifts that one can give at Christmas are small occasional tables and magazine stands or little occasional chairs to fill an odd corner. Ready for Christmas buying now is a collection of the most delicately made and charming little tables of walnut that may be used for a number of purposes. There are some that have the dual personality of being magazine racks or flower stands if one prefers. One made with a tray top and with delicate spindle legs is particularly attractive. Price \$42.75. Another with a tray top and a lower shelf is Directoire in spirit. Price \$63.75.

A large stand suitable for flowers or books has a tray top and a lower shelf and is copied from an old Italian table. Price \$45.

A tiny reproduction Sheraton desk of inlaid mahogany with a charming interior and small compartments and sliding drawers. This has a sliding top. Price \$131.25.

A reproduction of a tiny old French chest-of-drawers has a marble top and brass gallery, three drawers. Price \$85.

A small round French table with marble top and brass gallery, \$71.

A brass gallery has a tiny drawer and a small triangular lower shelf. Price \$39.75.

A small reproduction Louis XVI table painted green and gold with a cream colored marbled top, \$75.

A small walnut reading table with a book stand and tiny drawers, \$113.75.

A small inlaid kidney table, reproduction of an old French design, with a brass gallery, \$125.

A tiny Louis XIV. commode of walnut with marble top and brass gallery, \$71. **Fifth Gallery, New Bldg.**

\$895 New Brambach Grand Pianos for \$750

The BRAMBACH grand piano is the famous little instrument which was built to fill the wide demand for a grand piano, of fine tone and small size, to go in small apartments. It is, of course, equally as good in large apartments; the depth and quality of the BRAMBACH tone makes it suitable for any room.

Takes up no more space than an upright.
The BRAMBACH Grand has been on the Wanamaker Roll of Honor for many years. It is one of the instruments most liked by the music-loving people who visit the Wanamaker Piano Salons. This reduction of \$145 in the price will undoubtedly create a great demand for this wonderful instrument, and we advise very prompt investigation and decision on your part if you contemplate the purchase of a grand piano for Christmas.

Convenient Terms to All Desiring Them
Piano Salons, First Gallery, New Building.

A NEW SHIPMENT ARRIVES OF Men's REDLEAF, London, Overcoats

Regardless of what they rightfully should be priced, they have been marked at the same low prices that have made such a commotion in our Men's Clothing Section:

\$54 to \$89

Some are KENNETH DURWARD'S coats. All are REDLEAF London coats. They have a distinctiveness of color and cut and custom-made air which has never been approached by any other overcoat made ready to wear. Of soft finished woolsens or fleecy overcoatings, ulster cloths, chevots and tweeds; single and double breasted, in a color range that includes oxford grays, heather mixtures, as well as blues and greens.

Men's imported Bath Robes---Reduced

Imported by this store; made by one of the best makers in Paris. Fine terry cloth bath robes—the kinds most men prefer when they can get them.

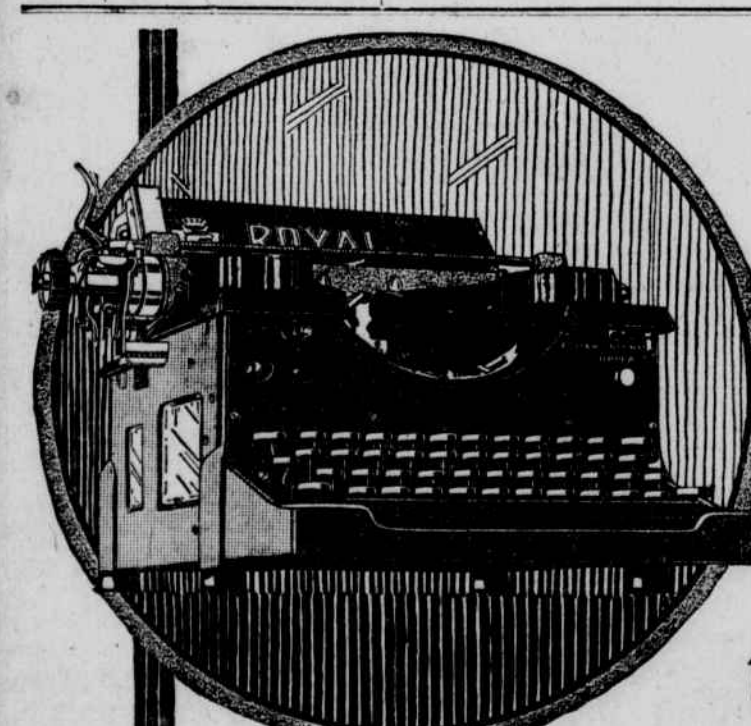
Reduced to \$5, \$7.50 and \$10
Were \$13.50, \$18 and \$25

This is a rare chance. Some stores in New York have similar robes at regular prices. The difference is obvious. **Burlington Arcade Floor, New Building.**

\$13 to \$16 Men's Shoes---\$8.75 pr. \$ 9 to \$12 Men's Shoes---\$6.75 pr.

32,324 Pairs high shoes and oxfords—the entire stock on hand of a great New York Shoe house, regardless of cost. Complete range of sizes—no job lots or rag-tag ends. They go on sale today, and the Men's Shoe Store will be as busy as can be all day. But there will be plenty of all the good styles left for today's selling—tan, cordovan, tan grain, black calfskin, black kidskin, patent leather.

Burlington Arcade Floor, New Building.



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the overhead

There is less depreciation.
There is longer life. There
is less cost of up-keep on a
ROYAL TYPEWRITER
There is a greater return of
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